

REMARKS

Claims 1, 2, 7, 8, 21, and 23 have been amended. Claims 19, 20, and 22 have been canceled without prejudice. Claims 3, 4, 9, 10, 13-18, 24, and 25 were previously canceled. Upon entry of this amendment, claims 1, 2, 5-8, 11, 12, 21, 23, 26, and 27 will be pending and under examination.

Claims 1, 7, and 21 have been amended to specify that FGF-8 "comprises an amino acid sequence which is the amino acid sequence of SEQ ID NO:1, 2, or 3." Support for this amendment is found in the original specification, e.g., at page 5, lines 10-11, and in the original claims. Claims 2, 8, and 23, have been amended to delete the phrase, "wherein the amino acid sequence of FGF-8 is SEQ ID NO:1, 2, or 3."

The following remarks are in response to the Advisory Action mailed January 9, 2008 ("the Advisory Action").

Rejections under 35 U.S.C. § 112, first paragraph

According to the Advisory Action, the Amendment filed December 4, 2007, has been entered, claims 2, 8, 23, 26, and 27 are allowable, and claims 1, 5-8, 11, 12, and 21 stand rejected under 35 U.S.C. § 112, first paragraph. The Advisory Action stated that the rejection could be overcome and the claims would be allowable if the Applicants amended claims 1, 7, and 21 to specify that the FGF-8 comprises the amino acid sequence of SEQ ID NO:1, 2, or 3. Applicants have herein amended claims 1, 7, and 21, as suggested by the Examiner.

The Advisory Action also stated that claims 2, 8, and 23, may be canceled following the suggested amendment to the independent claims. Applicants have herein amended claims 2, 8, and 23, to delete reference to SEQ ID NO:1, 2, and 3 (as this limitation has been incorporated into the independent claims), and maintained these claims in the application. Claims 2, 8, and 23, depend from claims 1, 7, and 21, respectively, and further limit the claims to methods in which FGF-8 (as opposed to an FGF-8 agonist) is administered. As such, claims 2, 8, and 23 are proper dependent claims.

In view of the amendment and foregoing remarks, withdrawal of the rejection of claims 1, 5-8, 11, 12, and 21, under 35 U.S.C § 112, first paragraph, is respectfully requested.

CONCLUSION

Applicants submit that the claims are in condition for allowance and such action is requested. A Request for Continued Examination and required fee are being filed herewith. Please apply any other charges or credits to deposit account 06-1050, referencing attorney docket no. 08987-009001.

Respectfully submitted,

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